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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q80000

Naohide MAEDA, et al.

Appln. No.: 10/790,749

Group Art Unit: 2834

Confirmation No.: 2910

Examiner: Tran N. NGUYEN

Filed: March 3, 2004

For: ROTOR OF DYNAMO-ELECTRIC MACHINE

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

Richard C. Turner
Registration No. 29,710

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 23, 2005



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RESPONSE

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In the Office Action dated December 13, 2004, claims 1 and 7-9 have been rejected for obviousness-type double patenting over the claims of co-assigned U.S. 6,806,616. All other claims in the application are indicated as being allowable. Accordingly, as a path of least resistance, Applicants submit herewith a Terminal Disclaimer in accordance with Rule 78, disclaiming any term which extends beyond that of the aforementioned '616 patent.

In view of the submission of the Terminal Disclaimer, it is believed that this application is now in complete condition for allowance, and accordingly favorable reconsideration is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, MITSUBISHI DENKI KABUSHIKI KAISHA, represents that the petitioner, MITSUBISHI DENKI KABUSHIKI KAISHA is the owner of the entire right, title and interest of U.S. Application No. 10/693,931, filed on October 28, 2003, for ROTOR OF ROTATING ELECTRIC MACHINE by virtue of an Assignment from all of the inventors thereof executed on October 21, 2003, recorded on March 29, 2004 at Reel 015150, Frame 0042, now issued as U.S. Patent 6,806,616 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/790,749 by virtue of an Assignment from all of the inventors thereof executed on February 16, 2004, recorded on March 3, 2004, at Reel 015033, Frame 0986.

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Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/790,749 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,806,616, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/790,749 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,806,616 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/790,749, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/790,749 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/790,749 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,806,616 in the event that U.S. Patent 6,806,616 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer
U.S. Patent Application Ser. No.: 10/790,749

Q80000

The undersigned is an attorney of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard C. Turner', written over a horizontal line.

Richard C. Turner

Date: February 23, 2005

Title: attorney of record